

REMARKS

By this amendment, Claims 1, 15-16, 18, 27, 32, 36, 46-47 and 53 are amended leaving Claims 1-53 pending in the application for the Examiner's review and consideration. Independent Claims 1, 16, 18, 36 and 47 have been rewritten to recite heat-degradable filler particles having a mean average particle size from about 0.05 to about 1 mm. Support for this change can be found at page 13, lines 6-8 of the specification. This amendment was discussed with Examiner Lopez on May 10, 2004, and Examiner Lopez indicated that any claims incorporating such feature would be allowable. Claims 15, 27, 32, 46 and 53 have been rewritten in independent form. As no new matter has been introduced by these changes, they should be entered at this time. Reconsideration of the Official Action is respectfully requested.

First Rejection

Claims 1, 9-10, 16-18, 23-24 and 28-30 were rejected under 35 U.S.C. §102(b) over Dashley et al. (U.S. Patent No. 4,607,647). The reasons for the rejection are set forth on page 3 of the Official Action. Applicants submit that in view of the amendments to independent Claims 1, 16 and 18 the rejection is moot. Withdrawal of the rejection is requested.

Second Rejection

Claims 1, 10, 16-18, 24 and 28-30 were rejected under 35 U.S.C. §102(b) over Barnes et al. (U.S. Patent No. 5,105,837). The reasons for the rejection are set forth on pages 3-4 of the Official Action. Applicants submit that in view of the amendments to independent Claims 1, 16 and 18 the rejection is moot. Withdrawal of the rejection is requested.

Third Rejection

Claims 1, 6-13, 16-18, 20-15, 33-36, 40-44, 47, 49-51 were rejected under 35 U.S.C. § 102(b) or under 35 U.S.C. §103(a) over Stewart, Jr. et al. (U.S. Patent No. 3,805,799). The reasons for the rejection are set forth on pages 4-5 of the Official Action. Applicants submit that in view of the amendments to independent Claims 1, 16, 18, 36 and 47 the rejection is moot. Withdrawal of the rejection is requested.

Fourth Rejection

Claims 2-5, 19, 37-39 and 48 were rejected under 35 U.S.C. §103(a) over Stewart, Jr. in view of Figge (U.S. Patent No. 2,992,647). The reasons for the rejection are set forth on page 6 of the Official Action. Claims 2-5, 19, 37-39 and 48 depend from independent Claims 1, 18, 36 and 47 and are deemed patentable at least for the reasons that Claims 1, 18, 36 and 47 are patentable. Withdrawal of the rejection is requested.

Fifth Rejection

Claims 1, 5-13, 16-18, and 20-25 were rejected under 35 U.S.C. §102(b) over Figge. The reasons for the rejection are set forth on pages 6-7 of the Official Action. Applicants submit that in view of the amendments to independent Claims 1, 16 and 18 the rejection is moot. Withdrawal of the rejection is requested.

Sixth Rejection

Claims 1, 3, 4, 10, 16-18 and 24 were rejected under 35 U.S.C. §103(a) over Tamol (U.S. Patent No. 3,526,904). The reasons for the rejection are set forth on pages 7-8 of the Official Action. Applicants submit that in view of the amendments to independent Claims 1, 16 and 18 the rejection is moot. Withdrawal of the rejection is requested.

Seventh Rejection

Claims 2-5 and 19 were rejected under 35 U.S.C. §103(a) over Figge. The reasons for the rejection are set forth on page 8 of the Official Action. Claims 2-5 and 19 depend from independent Claims 1 and 18 and are deemed patentable at least for the reasons that Claims 1 and 18 are patentable. Withdrawal of the rejection is requested.

Eighth Rejection

Claims 1, 6-8, 12, 16-18 and 20-22 were rejected under 35 U.S.C. §103(a) over Adam et al. (U.S. Patent No. 4,784,164). The reasons for the rejection are stated on page 9 of the Official Action. Applicants submit that in view of the amendments to independent Claims 1, 16 and 18 the rejection is moot. Withdrawal of the rejection is requested.


It is submitted that the differences between the claimed subject matter and the prior art are such that the claimed subject matter, as a whole, would not have been obvious at the time the invention was made to a person having ordinary skill in the art.

In view of the foregoing, it is submitted that the present application is in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: 5-19-04

By: 
Peter K. Skiff
Registration No. 31,917

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620
VA 84918.1